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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

MARK BARRETT, an individual,

Plaintiff,

vs.

ORACLE CORPORATION, a Delaware
corporation,

Respondent.

**DECLARATION OF ARTHUR OROZCO
IN SUPPORT OF MOTION TO COMPEL
ARBITRATION**

Case No. 2:20-CV-277-PMW

Judge Howard C. Nielson

I, Arthur Orozco, hereby declare:

1. I am over 18 years of age, of sound mind, and capable of making this declaration.
2. I am employed by Oracle America, Inc. ("Oracle") as the Senior Global Human Resources Analyst.
3. In my role as Senior Global Human Resources Analyst for Oracle, I am familiar with Oracle's practices and procedures regarding acceptance of terms and conditions of employment.

4. This declaration is given on the basis of my personal knowledge and my review of certain business records kept by Oracle in the course of its regularly conducted business activities.

5. Oracle has offices in multiple states and countries and sells its products and services worldwide.

6. Mark Barrett and Oracle entered into an “Employment Agreement & Mutual Agreement to Arbitrate” (“Agreement”), attached hereto as Exhibit 1. The document is a record kept by Oracle in its regular course of business. It was within the regular course of business for an employee or representative of Oracle to make this record or to transmit information thereof to be included in such record. The Agreement is true and accurate to the best of my knowledge, information, and belief.

7. In the regular course of its business, Oracle would send an e-mail notification to candidates containing links on how to accept their offers of employment. The email that was sent to Mr. Barrett is attached hereto as Exhibit 2. As outlined in Exhibit 2, Mr. Barrett was required to complete the following steps. First, Mr. Barrett was asked to create an Oracle.com account using the personal e-mail address he used to apply for the position. Once logged in, Mr. Barrett was presented with an alert asking him to review his Offer Letter, a Proprietary Information Agreement, and the Agreement. The alert prompted Mr. Barrett to click the “Accept” link that appeared next to each relevant document after reviewing and agreeing to these documents. After clicking this “Accept” link, Mr. Barrett’s alert screen displayed the “Acknowledged Date,” indicating the date and time that Mr. Barrett accepted each document. Once each required document was accepted, only then could Mr. Barrett click a link labelled “Accept Offer.”

8. According to company records, Mr. Barrett's personal e-mail associated with his Oracle.com profile is "Markrbarrett@gmail.com," as displayed in the screenshot attached hereto as Exhibit 3.

9. Mr. Barrett electronically acknowledged and accepted the Agreement on August 5, 2019, as displayed on page 5 of the Agreement.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 9th day of June, 2020.



Arthur Orozco

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12th day of June, 2020, I electronically filed the foregoing **DECLARATION OF ARTHUR OROZCO** with the Clerk of the Court using the CM/ECF system, which will send an electronic notification to counsel of record for all of the parties.

/s/Michael A. Zody